



COUNTY OF LOS ANGELES

# Public Health

**JONATHAN E. FIELDING, M.D., M.P.H.**  
Director and Health Officer

**JOHN F. SCHUNHOFF, Ph.D.**  
Chief Deputy Director

313 North Figueroa Street, Room 806  
Los Angeles, California 90012  
TEL (213) 240-8156 • FAX (213) 975-1273

[www.lapublichealth.org](http://www.lapublichealth.org)



## BOARD OF SUPERVISORS

**Gloria Molina**  
First District

**Yvonne B. Burke**  
Second District

**Zev Yaroslavsky**  
Third District

**Don Knabe**  
Fourth District

**Michael D. Antonovich**  
Fifth District

April 27, 2007

TO: Each Supervisor

FROM: Jonathan E. Fielding, M.D., M.P.H. *JE Fielding MD*  
Director and Health Officer

SUBJECT: **7<sup>th</sup> STREET PRODUCE MARKET UPDATE**

On February 6, 2007, the Board approved two motions concerning the KNBC-TV report depicting unsafe food storage practices, lax enforcement practices, and inappropriate behavior of wholesale food market operators at the 7<sup>th</sup> Street Wholesale Produce Market.

Supervisor Burke's motion instructed me to 1) report back within 15 days with a specific plan to address public health problems at the wholesale produce markets, specifically the 7<sup>th</sup> Street Wholesale Produce Market, including review of such options as more frequent inspections, revised inspection criteria, and increased sanctions for violations, and 2) conduct an investigation of staff failures in the inspection of the market.

A motion by Supervisors Antonovich and Yaroslavsky, instructed me to report back within 15 days on 1) recommendations for increasing the number of produce vendor inspections to be required on an annual basis, 2) any appropriate changes in either State or County regulations and/or codes related to licensing, inspection and enforcement of wholesale produce facilities, 3) improving coordination between cities and the County in permitting and inspecting the condition and operation of wholesale produce facilities, 4) a review of the violations that have been rendered or given to other distribution centers within Los Angeles County to see if there is a pattern across markets or if the 7<sup>th</sup> Street Market is an exception, 5) a timeline of actions taken by the on-site inspectors responsible for carrying out the health rules and regulations and 6) whether County Counsel can assist in determining, in coordination with the City of Los Angeles, any legal actions that may need to be taken in relation to the 7<sup>th</sup> Street Market violations.

On February 21 and March 23, 2007, I provided you with detailed status reports. This is a follow-up report with particular attention to actions Public Health has taken since the last report and activities which are ongoing.

## **ADDITIONAL ACTIONS IMPLEMENTED**

On April 3, 2007, Environmental Health staff held a follow-up meeting with the owners and managers of the 7<sup>th</sup> Street Market complex. The status of action items discussed at these meetings is:

1. The complex management submitted plans to install two additional restroom and janitorial facilities on 3/9/07. The plans were returned for correction on 4/2/07 and are pending resubmission.
2. The complex management is transitioning to amended leases for all tenants. Tenants will be required to participate in centralized onsite refuse collection program that includes provision of marked, lockable garbage dumpsters and a program to collect recycled cardboard in a sanitary manner. Tenants will also be required to participate in centralized pest control efforts that include right-of-entry for complex pest control contractor to inspect and treat individual spaces as well as integrate control measures for the common spaces and activities of the complex as a whole. Progress in this area has been relatively slow, because individual tenant contracts for these services must be closed or transferred to another site.
3. A proposal to install additional exterior lighting is pending submission to the City Building and Safety and repair of existing fixtures at the carport canopy is underway.
4. The complex owners are in discussions with the City of Los Angeles regarding a proposal to install a canopy at the loading/staging area of the east building within the complex.
5. Complex management is implementing recommendations regarding the elimination of several rodent harborage and repair of damaged exterior building complex walls,
6. The cleaning of the entire second floor of all buildings in the complex, including the removal of accumulated debris, rodent and bird droppings, and bird and rodent carcasses, has been completed.

Inspectors continue to visit the 7<sup>th</sup> Street Market complex no less than weekly. The condition of the market has remained stable in that: 1) no produce is dumped on the ground, 2) no food products are stored near garbage or trash receptacles, 3) common restrooms are consistently supplied with hot water, soap and towels, 4) no rodent activity has been observed in the food storage spaces, and 5) all tenants have trash pick-up service. However, the following violations remain: improper food storage, the lack of rodent proofing in vacant interior spaces/exterior premises. We are continuing to follow up on these findings until they are resolved.

In order to determine if similar conditions to those which we found at the 7<sup>th</sup> St. Produce Market Complex exist at the other facilities, we have inspected the nine (9) other wholesale produce complexes within the County and 12 of 62 stand-alone wholesale markets. Since the last report, staff completed another 353 inspections. Since we began this effort at the other markets, we have conducted 455 inspections including 154 routine inspections resulted in 48 closures and 81 hearings. A total of 238 out of 282 active wholesale food market licensees have been inspected to date.

The conditions at these markets were consistent with, but not as severe as, those violations found at the 7<sup>th</sup> Street Market. We found the following violations: 1) rodent infestation, 2) floor, walls and/or ceilings in disrepair/unclean, 3) inadequate rodent proofing, and 4) the lack of a public health license to operate. In at least two complexes, significant renovation/remodeling will be required due to unapproved or dilapidated structures. Several of the complexes have been directed to install exterior canopies to protect food products during the staging process.

Environmental Health staff is completing evaluation reports concerning each complex and scheduling meetings to discuss long-term compliance plans with the complex management and tenants in each of the affected sites.

### **LEGAL ACTIONS**

We filed 32 Reports of Investigation in support of criminal complaints, including one against the owner/operator of the 7<sup>th</sup> Street Wholesale Market Complex, with the Los Angeles City Attorney's office. On March 12, 2007 the City Attorney filed criminal complaints from the Department of Public Health and Los Angeles City Department of Building and Safety. The first of these cases, against the owner/operator of the 7<sup>th</sup> Street Wholesale Market Complex, is scheduled for arraignment May 3, 2007. Eight more cases against individual wholesale market operators involving rodent infestations will be arraigned subsequently. The remaining 23 cases also against individual wholesale market operators will be scheduled for city attorney hearings.

### **RECOMMENDATIONS ON CHANGES IN STATE OR COUNTY REGULATIONS**

Public Health staff and County Counsel are still fine-tuning a proposed ordinance which will require that the owners of any wholesale produce facility obtain a public health license (in addition to the licenses issued to each individual vendor). We expect to file it for the Board's consideration in May.

I will provide a further update on our progress by May 30, 2007. In the meantime, if you have any questions or need additional information, please let me know.

JEF:tp  
PH:702:002(3)

c: Chief Administrative Officer  
County Counsel  
Executive Officer, Board of Supervisors

Bc: Sharon Ryzak  
Christina Salseda